

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

W. HAROLD ALBRITTON, SENIOR U. S. DISTRICT JUDGE, PRESIDING, AT MONTGOMERY, AL

UNITED STATES OF AMERICA)
vs.) CR. No. 3:05cr147-WHA
DANNY JOE McCART)

APPEARANCES:

GOVERNMENT

Kent Brunson

DEFENDANT

Christine Freeman

Risa Entrekin, Court Reporter
Elna Behrman, Courtroom Deputy
Chris Puckett, Law Clerk

COURT OFFICIALS PRESENT

**Terrence Marshall, USPO
Dwayne Spurlock, USPO**

COURTROOM PROCEEDINGS

(X) SENTENCING HEARING

Court convenes

The parties have reviewed the presentence report and have no objection.

The court adopts the factual statements contained in the presentence report and have no objections.

The court hears arguments on the Defendant's Motion for Document Production.

After hearing arguments, the court states that the evidence does not support the Defendant's contention of diminished mental capacity and orally DENIES the motion.

Ms. Freeman requests sentencing at the lower end of the guidelines.

Sentence is stated.

No objections

The sentence is ordered.

Defendant will be released.

Defendant will be released pending voluntary surrender under the same terms and conditions imposed by the magistrate judge on July 14, 2005.

Defendant is advised of his right to appeal.

Defendant is directed to meet with the probation officer before leaving